

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

JANE DOE T.L.J.,)	
)	
Plaintiff,)	
vs.)	Case No. 4:20-cv-714
)	
UNIVERSITY OF CENTRAL)	
MISSOURI,)	
)	
Defendant.)	

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1441 and 1446, Defendant the University of Central Missouri (the “University”) hereby gives notice of the removal of the case styled *Jane Doe T.L.J. v. University of Central Missouri*, No. 20JO-CC00175 (Circuit Court of Johnson County, Missouri), to the United States District Court for the Western District of Missouri, Western Division. The University provides the following grounds for removal:

1. On July 8, 2020, Jane Doe T.L.J. (“Plaintiff”) commenced this action in the Circuit Court of Johnson County, Missouri by filing her Petition. She filed her First Amended Petition (“FAP”) the same day. Plaintiff’s lawsuit names the University as the sole defendant.
2. According to the Court’s docket, Plaintiff served a copy of her Petition on the University on August 8, 2020.
3. Plaintiff’s FAP provides: “UCM receives federal funding and is subject to Title IX of the Education Amendments of 1972 (Title IX”); further, UCM is required to comply with state and federal laws including but not limited to Title IX and the Campus Sexual Violence Elimination Act.” FAP, ¶ 3.

4. Further, Count IV of Plaintiff's FAP is entitled "Violation of Title IX" and asserts a cause of action exclusively under Title IX. FAP, ¶¶ 59-64.

5. Thus, Plaintiff clearly invokes Title IX of the Education Amendments of 1972.

6. Plaintiff's claim for a purported violation of Title IX arises under federal law and contains substantial federal questions necessary for its resolution.

7. Pursuant to 28 U.S.C. § 1331, this Court has original jurisdiction over all civil actions arising under the Constitution, law, or treaties of the United States.

8. Because of this Court's original jurisdiction over Plaintiff's Title IX claim, removal of this action is proper pursuant to 28 U.S.C. § 1441(a) and (c).

9. This Court may exercise supplemental jurisdiction over Plaintiff's additional claims pursuant to 28 U.S.C. § 1367 and 28 U.S.C. § 1441(c).

10. The filing of this Notice of Removal is timely under 28 U.S.C. § 1446(b)(3) because it is within thirty (30) days of receipt by the University, through service or otherwise, of a copy of Plaintiff's FAP. *See also* Fed. R. Civ. P. 6(a).

11. Pursuant to 28 U.S.C. § 1446(a), copies of the current docket as well as all process, pleadings, and orders served upon the University in this action are attached hereto as Exhibit 1.

12. After the filing of this Notice of Removal, Individual Defendants will file a copy of this Notice with the Clerk of Court of the Circuit Court of Johnson County, Missouri, and will provide notice to Plaintiff, all as provided by 28 U.S.C. § 1446(d).

WHEREFORE, Defendant University of Central Missouri states that it has divested the Circuit Court of Johnson County, Missouri of jurisdiction by filing with that Court a Notice of Filing this Notice of Removal, and request that this Court proceed with adjudication of this matter.

Date: September 4, 2020

Respectfully submitted,

/s/ Derek T. Teeter

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CERTIFICATE OF SERVICE

I hereby certify that on September 4, 2020, a true and correct copy of the foregoing was filed the foregoing document via the Court's ECF system, which will cause a true and correct copy of the same to be served electronically on all ECF-registered individuals, and a true and correct copy of the foregoing was served via United States mail, postage prepaid, upon:

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